

### **REMARKS**

The drawings have been objected to under 37 CFR 1.83(a) because the eight side elements and eight connecting elements of claim 22 are not shown. Claim 22 has been canceled to overcome this objection.

Claims 18-33 have been rejected under 35 USC 103(a) as unpatentable over Allen in view of Tinus and Black. Claims 18-33 have been canceled and new claims 34-46 are presented herewith. New claims 18-33 have been drafted to overcome the art cited by highlighting certain features not present in the references.

New claim 34 includes the feature of four connecting elements comprising a lower and an upper half shell for clamping bordering side elements, wherein the frame can be suspended on fastening devices, which fastening devices are screw elements functioning at the same time as a clamping device.

Thus, the swing according to claim 34 has a very simple structure, can be assembled easily and comprises few elements. In particular, only one element for clamping and connecting bordering side elements and for suspending the frame is necessary.

In this respect, it should be again referred to the fact that the combinatory effect of all features contributes to the solution of the problem. That is, all elements of the swing (the side elements, the connecting elements, the band elements and the fastening devices with screw elements) are structured and are adapted to interact in a manner that these features form a swing which can be easily assembled and disassembled and even so the swing is very robust/stable as also explained in former letters.

With respect to the prior art cited by the Examiner, Allen merely discloses elbows 14 to which a cord 20 is knotted.

Back is silent about any screwing element. In contrast, with reference to e.g. Fig. 10, two pipes 4 are clamped by the connector 1b via the further pipe 5c. Back discloses no hint regarding the connection with screwing elements and Back provides a solution avoiding any screwing element requiring a tool.

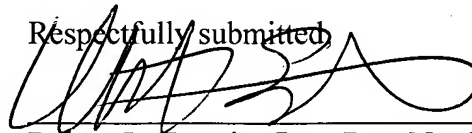
Moreover, Skovronski discloses the connection of a first cylindrical strut with a second cylindrical strut by using a clamping member 20 via the usage of the fasteners 30 and 40. However, Skovronski is silent about any suspending function of the fasteners and the clamping member 2 and cannot give any hint in this respect, since Skovronski does not relate to a swing.

Besides the splitter described in Blanchfield is not even adapted to fix two pipes in an angular manner which is necessary for forming a frame with four side elements and four connecting elements, so that Blanchfield should not have any relevance.

In addition, Tinus does not show any connecting element and also no suspension of a frame.

For the above reasons, it is believed that newly presented claims 34-46 distinguish over the proposed combination and are therefore allowable.

Respectfully submitted,



Robert L. Epstein, Esq., Reg. No. 26451  
EPSTEIN DRANGEL BAZERMAN & JAMES, LLP  
Attorneys for Applicant  
60 East 42<sup>nd</sup> Street, Suite 820  
New York, New York 10165  
Tel. No.: (212) 292-5390  
Fax. No.: (212) 292-5391